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September 21, 2016

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Room TW-B204  
Washington, D.C. 20554

Re: Notice of *Ex Parte* Meeting:  
WT Docket No. 08-7, Petition of Twilio Inc. for an Expedited Declaratory Ruling  
Stating That Messaging Services Are Title II Services  
CC Docket No. 95-155, Toll-Free Service Access Codes

Dear Ms. Dortch:

On September 15, 2016, Alan Stiffler (Somos, Inc.) and I met with Pramesh Jobanputra, Michael Janson, Jennifer Salhus, Karen Sprung, Matt Warner, and Mary Claire York of the Commission's Wireless Bureau to discuss the ecosystem issues surrounding texting to Toll-Free numbers.

Somos emphasized that there are problems within the texting to Toll-Free ecosystem that have been previously disclosed in this proceeding by Somos, Twilio, HeyWire, Aerialink, CSF, and others. These issues continue to plague the industry.

Unfortunately, industry efforts and bilateral meetings between Somos and others have not produced any progress on a resolution. In fact, we are further from resolving these issues than when Somos and others met with the Commission staff on April 22, 2016. The industry simply does not have the ability to resolve these issues with guidelines and self-regulation, and no way to enforce such industry-led measures.

Whether or not the Commission decides to classify texting as a Title II service, it will almost certainly take some sort of Commission action or involvement to set the texting to Toll-Free industry on the right path to vibrant, open competition and growth.

Please do not hesitate to contact me if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joel Bernstein". The signature is fluid and cursive, with the first name "Joel" being more prominent than the last name "Bernstein".

Joel Bernstein  
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